IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

Bail Appl..No. 5725 of 2007()

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CMP.5410/2007 of J.M.F.C.-I,TRIVANDRUM
CRIME NO.40/07 OF THIRUVANANTHAPURAM EXCISE RANGE

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: PETITIONER/ACCUSED:

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MOHANAN, S/O. PADMANABHAN,
T.C.47/2069, PANAYIL VEEDU, KAILAS MUDUKKU,
KARAMANA, THIRUVANANTHAPURAM.

BY ADV. SRI.G.SUDHEER

RESPONDENTS: COMPLAINANT:

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STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R.BASANT, J.**

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B.A.No.5725 of 2007

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Dated this the 24th day of September 2007

**O R D E R**

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 5.4 litres of IMFL on 15/8/2007. He was arrested and continues in custody from that date. The petitioner was accused in an earlier identical crime. But he was found not guilty and acquitted by the court, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

**(R.BASANT, JUDGE)**

jsr

**R.BASANT, J.**

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007